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March 16, 2011

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VIA HAND DELIVERY

John Tyner, Chair
City of Rockville Planning Commission
Rockville City Hall
111 Maryland Avenue
Rockville, Maryland 20852

Re: Rockville Pike Master Plan; 5946 Halpine Road

Dear Chairman Tyner and Members of the Planning Commission:

We represent the owner of the property located at 5946 Halpine Road in the City of Rockville (the "Property") (highlighted in yellow on an excerpt of Tax Map GQ563 attached as Exhibit A). The Property is located immediately adjacent to, but outside of, the proposed boundaries of the Rockville Pike Master Plan. (See Property location highlighted in yellow on map attached as Exhibit B.) The purpose of this letter is to request that the proposed boundaries of the Rockville Pike Master Plan be expanded to include the Property, and that the Property be replanned for multi-unit residential and rezoned to the MXT (Mixed-Use, Transition) Zone.

The Property contains approximately 22,000 square feet and is well-situated on the east side of Rockville Pike, only a short walk to the Twinbrook Metro Station. The Property is adjacent to the four to six story planned buildings (and five to seven story garage) of the Twinbrook Station mixed-use development to the west and south. That development will contain residential, retail, and office space. Confronting to the southwest of the Property, that same development proposes a 12-story building site. Twinbrook Station is in the Planned Development (PD-TC) Zone. To the immediate east of the Property are townhouse developments known as Cambridge Walk I and II, in the RMD-10 Zone. To the north and northwest are single family homes and industrial properties. (See zoning map attached as Exhibit C.)

The Property is currently zoned R-60. Considering the surrounding uses, retaining the R-60 zoning on the Property at the time of the comprehensive rezoning in 2009 and the Twinbrook Neighborhood Plan in 2009 was an oversight or error. This error can and should be corrected. From a land use perspective and to correct this oversight, the future development of the Property should be replanned as part of the Rockville Pike Master Plan process.

The Owner envisions a multi-unit residential project on the Property, that would serve as a transition from the four to six story buildings that are already approved as part of the Twinbrook Station mixed-use planned development project on the south and west sides of the Property, to the existing townhouse development immediately to the east in the RMD-10 Zone. To accomplish this residential project, the Owner believes that the MXT Zone (Mixed-Use, Transition) would be the most appropriate for the Property.

A multi-unit residential project would serve as a transition, stepping down building height in the immediate area from the Twinbrook Station planned development to the existing townhouses on the east side of the Property. The building is envisioned as three residential levels over a partially sunken parking area. Setbacks on the Cambridge Walk side would be designed to hold to the edge of the existing building, thus preserving the existing separation distance from the adjacent townhouses. On the Twinbrook Station side, the building would move closer to the adjacent sidewalk. Access would be from Halpine Road. The future multi-family building would include green edges that would help to soften the transition from higher density on the south and west sides of the Property to lower density on the east side. The Owner is pursuing contacts with representatives from WMATA to determine whether a portion of the land owned by WMATA adjacent to the Property can be integrated into the future redevelopment.

This request to expand the boundaries of the Rockville Pike Master Plan in order to replan and rezone the Property to the MXT Zone would help to further some of the important goals of the Master Plan, and would remove an anomalous peninsula of R-60 land that projects in between the PD-TC Zone of Twinbrook Station and the RMD-10 Zone of Cambridge Walk.

The redevelopment of the Property would encourage walkability; the Property is located within five hundred (500) feet of the Twinbrook Metro Station. Just somewhat further beyond the tracks are nearby commercial centers, including those that will arise in response to the new Master Plan. The proximity to Metro and

nearby commercial/office uses would negate much of the need for automobile usage by residents for both business and personal travel.

The redevelopment of the Property would provide more appropriate use/density in close proximity to Metro. Future residents of the proposed residential building on the Property could be employees in some of the new office buildings nearby, or those more distant that are serviced by Metro. Residents may frequent the new retail uses in the Twinbrook Station community for personal needs. The proposed residential use of the Property will serve to activate the streets near the Twinbrook Metro and put more "feet and eyes on the street," thus making the area more active and vibrant. The activity on the street and the improvements and lighting will also make the community safer and more attractive.

The Owner made initial contacts with representatives from Cambridge Walk and is scheduled for meeting with the Twinbrook Citizens Association.

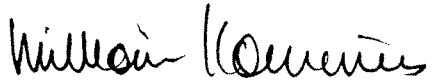
For all these reasons, we urge the City to expand the boundaries of the Plan to include the Property and to recommend the Property for multi-unit use and for reclassification to the MXT Zone. As with the other properties in the Plan, the rezoning would be accomplished via the sectional map amendment that will implement the zoning recommendations of the Master Plan.

We look forward to working with the City Staff, the Planning Commission, and the Mayor and Council as this Master Plan moves forward.

Thank you for your consideration of these comments.

Very truly yours,

HOLLAND & KNIGHT LLP



William Kominers



Susan M. Reutershan

W30000

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GR 561

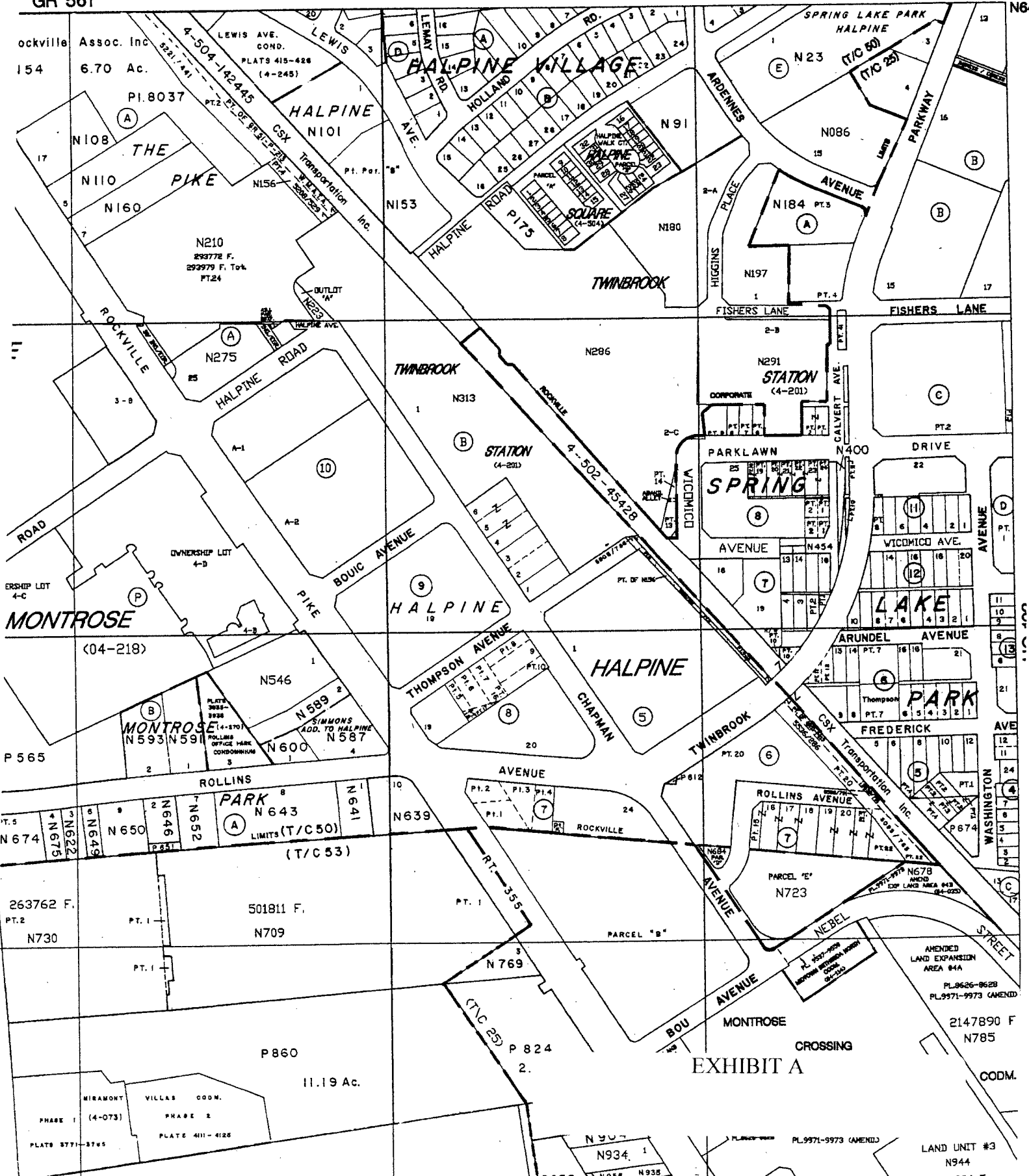


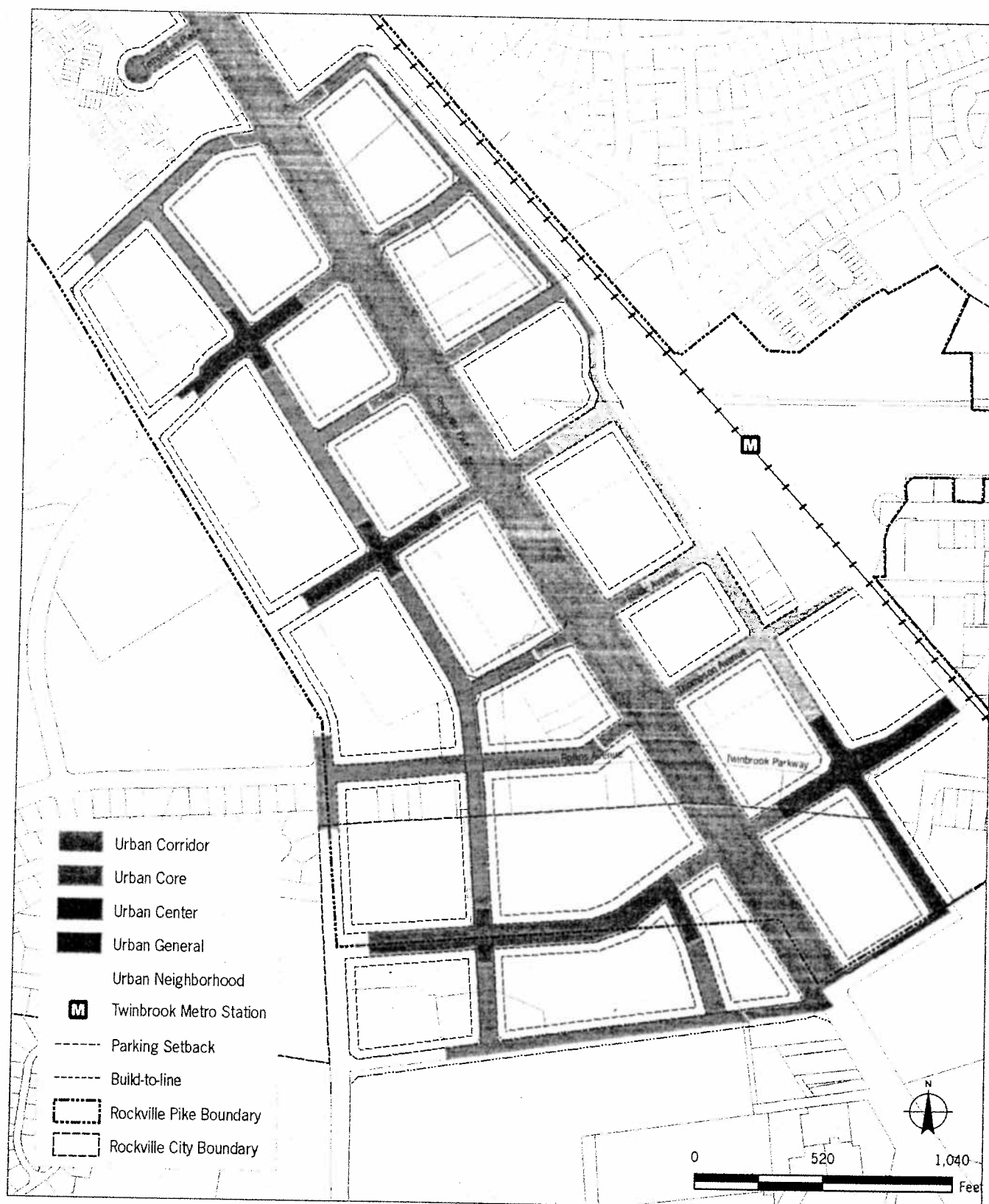
EXHIBIT A

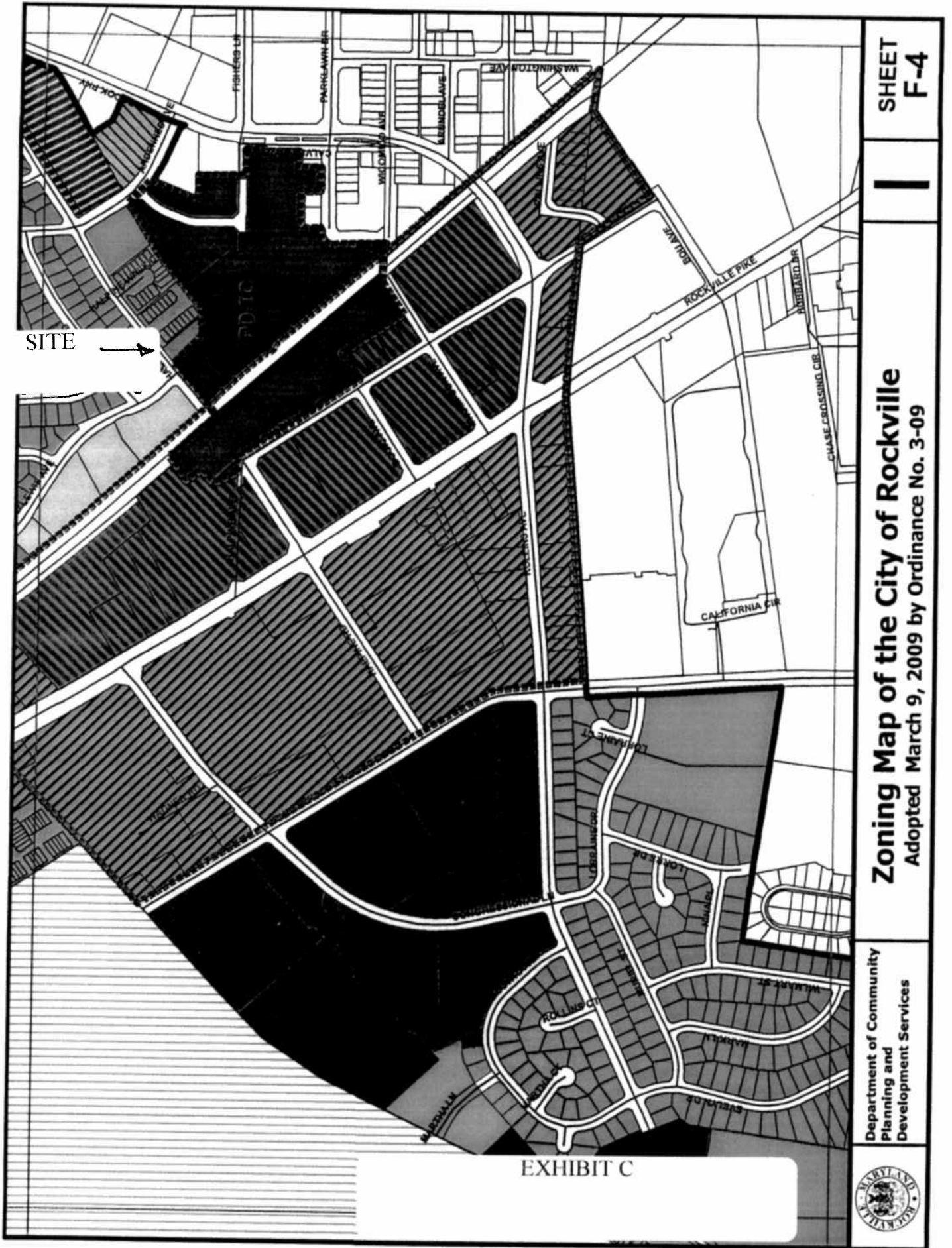
CODM.

LAND UNIT #3

N944

1.2.3 Building Form Standards - South Pike

Map 4: The Regulating Plan – South Pike**EXHIBIT B**



Testimony of Spectrum Partners Management, Inc.

Planning Commission Hearing, March 16, 2011

Rockville Pike Master Plan

Good evening Members of the Planning Commission. My name is Cindy Bar, and I am an attorney with Holland & Knight. I am here with Neil Markus of Spectrum Partners. Several of the partners of Spectrum Properties are life long residents of Montgomery County and have multiple investments in the City and County. Spectrum Partners has an interest in 718 Rockville Pike, the former site of Century Ford, which currently is improved by two unoccupied buildings. The site is highlighted in yellow on the handout attached to my written testimony.

Spectrum Partners understands that the purpose of this Plan is to map out a vision for Rockville Pike for many years in the future, and agrees that such long-term planning is appropriate. However, Spectrum Partners also believes that this cannot be done without consideration of current conditions or recognition that there may be interim phases of development between now and when that vision can be realized. Certainly, the Pike now has a variety of shortcomings and is not a cohesive, integrated area of the City. In spite of this, businesses located on the Pike are generally economically successful, and the area serves an important purpose for residents of the City and County. While Spectrum Partners supports the wish to ultimately transform the Pike into a more attractive, urban place, it also believes that the Plan must have realistic goals and

accommodations for existing businesses on the Pike and for the possibly protracted time before all properties are economically ready to redevelop to the end state contemplated in the Plan. As a side note Spectrum wants the record to reflect that it was not consulted nor did it give any input regarding the ideas depicted for Model Site 3 (which is partially comprised of the Century Ford site) in Appendix A of the draft Plan.

This site was rezoned MXCD when the Mayor and Council adopted the new Zoning Ordinance and map amendment in 2009. We testified in the many hearings on the new ordinance and sought more height and additional flexibility on design standards and parking for the MXCD properties. We continue to believe that the long term redevelopment of these sites as envisioned in the Master Plan will only occur if additional height and density are allowed. In addition, Spectrum Partners continues to believe that some parking in the front of the site should be allowed in order to ensure the continued success of retail (both existing and future).

Spectrum Partners is also very concerned with the onerous design standards included in the form-based code which is a part of the draft Plan. While we agree that some improvements might be made to the existing MXCD zone, we think that the City should utilize the zones in the Ordinance adopted in 2009 for the Pike, rather than rush to new zones, new standards and a new system of review and approval.

Spectrum Partners has an interest in the long-term vision of the Pike contained in the Plan. However, in the near term, it is not economically feasible for Spectrum Partners

to redevelop the site in this fashion. In the near term, changes to the site improvements on the property will be desired, and the Pike Plan must recognize and make provision for such interim development. The renovation and re-use of existing buildings on the Pike could also immediately improve its appearance in some areas of the Pike.

The City should encourage and facilitate a reasonable revenue stream for properties on the Pike, particularly in the Middle and North Pike areas, because redevelopment to the "ultimate" state envisioned in the Plan is likely many years away for these areas. It is likely that the sites nearest the Metro stops on the Pike will be the first to redevelop as envisioned in the plan and the Middle and North Pike areas will likely be the last areas to be redeveloped to their full potential. If moderate interim redevelopment is not allowed, the Pike could become a wasteland of abandoned businesses not allowed to evolve to maintain their viability.

Until the economics justify the long-term vision, and until the infrastructure costs of the plan are addressed realistically, the City must allow incremental redevelopment in order for businesses to survive and to maintain City tax base. In addition, much of what is suggested in the draft Plan will require land assemblages where there are multiple landowners, businesses and tenants with divergent interests and this will not occur quickly. The Plan as drafted seems to contemplate that all sites along the Pike will redevelop directly to the end state, which is not realistic today, and may actually detract from the overall usefulness and viability of this major shopping and service destination.

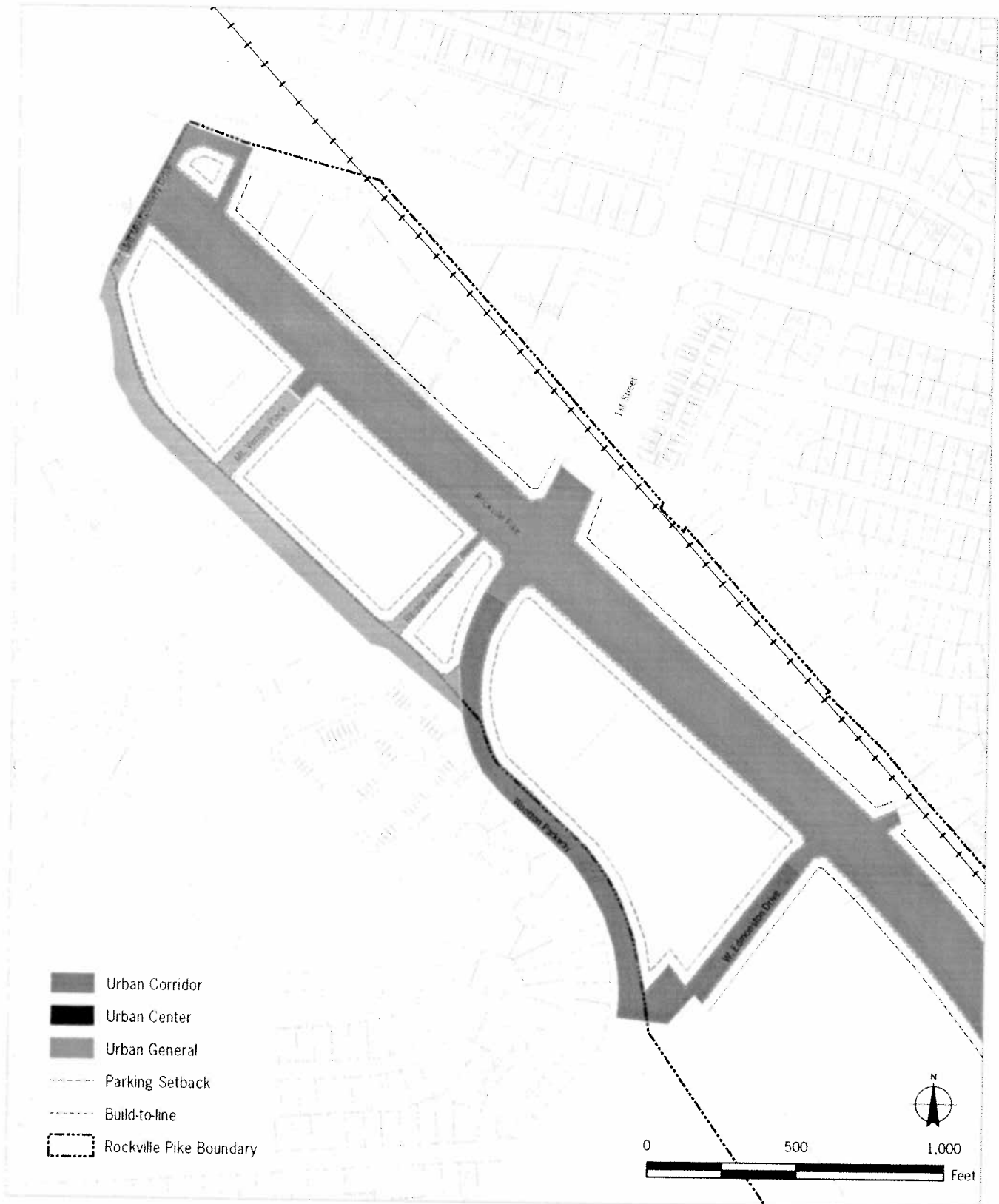
In order for the Plan and its vision to be realized, the City will also need to solve the transportation APFO limitations. This is an essential element in order for the City to continue to have economic growth. We know that the City is currently reviewing the APFO ordinance and we hope that this will result in changes that make it possible for future projects to move forward in the City. We agree with the recommendations in the draft Plan [on pages 5.35 and 5.36], which calls for revisions to the APFO standards that focus less on specific intersections and more on the entire transportation corridor, in that order, as necessary and appropriate to allow the development envisioned in the Plan.

Thank you for your consideration of our views.

#10183658_v2

1.2.1 Building Form Standards - North Pike

Map 2: The Regulating Plan – North Pike



Pat Harris – Holland & Knight – See transcript from 3/16/11 oral testimony

Quantum Company

4912 Del Ray Avenue
Bethesda, Maryland 20814
(301) 657-9900 ext.129
FAX (301) 657-8412

Testimony of Shellhorn Rockville, LLC

Planning Commission Hearing, March 16, 2011

Rockville Pike Master Plan

Good evening Members of the Planning Commission. My name is Marc Kapastin of Quantum Companies, here on behalf of Shellhorn Rockville, LLC, the owner of the site located at 1488 Rockville Pike, which is currently improved with a shopping center called Chesapeake Plaza. (Our property is identified on the map attached to my testimony.) We have been property owners in Rockville for many years. We have not only a business interest in our property on Rockville Pike, but an interest in the ongoing success of the City as a whole. While we generally support many aspects of the draft Rockville Pike Plan (the "Plan"), we also feel that some of the recommendations are problematic.

We applaud the efforts of the planning staff and other City officials to develop a vision and plan for redevelopment of the Rockville Pike. While ambitious, the vision of the Rockville Pike as a wide urban boulevard is certainly a laudable goal for the City. However, in our opinion, without the proper tools and incentives, there will be no transformation of the Pike, no matter how desirable the vision.

Our main concerns with the draft Plan are as follows:

1. The Plan as drafted does not propose sufficient additional density to encourage redevelopment, especially for developed, operating properties. Instead, the Plan suggests that potential density may actually be reduced due to land dedications and other restrictions. In addition, there will be much more "process" and higher development costs under the proposed Plan. The Plan contains virtually no incentives to justify redeveloping income-producing property. There is not enough justification for giving up the benefit of the income stream from the property in return for the additional costs of development, the risks of success with tenants, the higher rents required to support the higher development costs, and the design constraints of the proposed Form Code.

2. The Plan does not allow enough volume along the Pike to accommodate needed density. The effective height is being reduced in some areas due to creation of new streets with lower height limits. In addition, those same new streets cause a reduction in land area on which density can occur. Many owners purchased properties when zoned RPC, allowing a height of 110 feet. For those, the existing MX zones already result in a dramatic loss of density, that is exacerbated by the new Plan. There is no reason for an existing performing property to redevelop unless sufficient additional density can be created as an incentive to offset the costs and risks of new development. The revitalization of the Pike will not happen without these incentives.

3. The reliance in the Plan for street dedication on some blocks to achieve more of an "urban grid" is a good idea, but will fall disproportionately on the owners of those underlying land areas. With the Form Code, rather than an FAR-based system, there is no density to offset the loss of land area. Unless proper incentives are added to the Plan, these dedications won't happen. This will seriously undermine the underlying tenets of the entire Plan to transform the Pike area to an urban grid. Without an FAR standard and without another way to retain density from dedicated land, all dedications will necessarily result in a loss of density -- and value. Creation of internal streets within a property, which will create even lower height allowances under the Form Code than those allowed along the Pike, will cause a loss of density. Coupled with the other density-reducing elements of the Plan, this creates further disincentives to redevelopment.

4. The major cost of making the proposed improvements to the Pike itself is not factored into the proposed Plan. The Plan suggests that these improvements be accomplished through obtaining funds from the County and State, combined with some type of tax increment financing within the Plan area. But no analysis of the costs or feasibility of this last element is included in the Plan. A true feasibility analysis is needed, and this should be undertaken in concert with all of the stakeholders in order to determine whether the proposed vision is realistic and achievable.

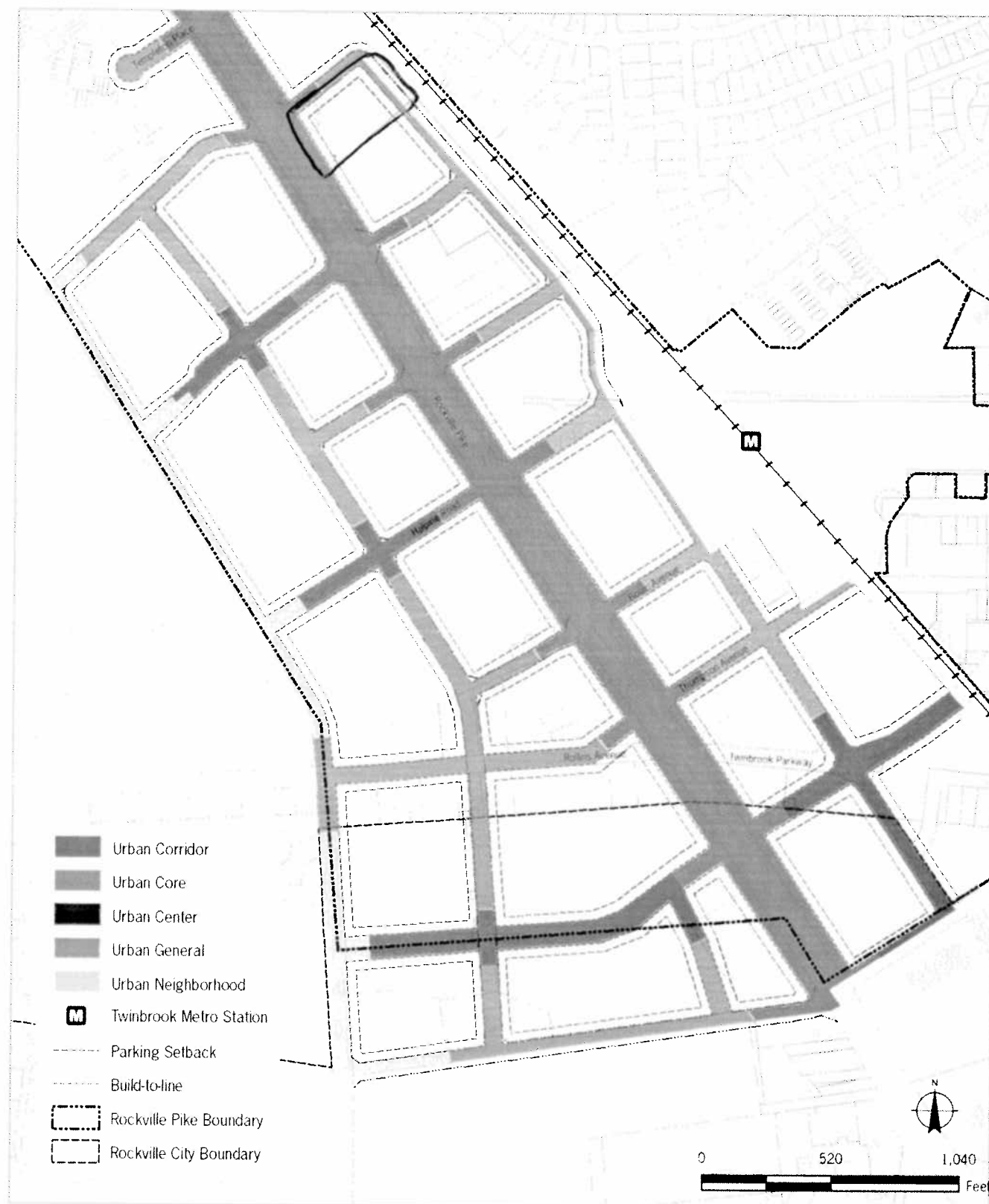
5. An overriding negative aspect of the Plan is the proposed new Form-based Code upon which it is based. Two years ago we were involved in numerous meetings and worksessions that led to the adoption of the current Rockville Zoning Ordinance. This Ordinance has also been characterized as a "loose" version of a form-based code.

We question why a new, more detailed form-based code is needed to replace that Code. The current Code has not yet even been tested, since there has been very little development activity since its adoption. The massive detail and formulaic nature of the proposed Form Code impinges on creativity of design. Rather than staying with form alone, the Form Code also includes limitations on uses that stifle the flexibility of integrating a particular use into the proposed "form." The Plan should encourage creativity in melding a use to the built form, rather than simply prohibiting uses.

The new Code is proposed to be coupled with a new "process" that is supposed to streamline review. The size limitation on projects able to use the streamlined process means that its value will be severely curtailed. The reality is that most plans will still have to undergo the laborious public hearing process, so that this will actually add processing time and complexity to an already cumbersome system.

In conclusion, one of the positive elements of the proposed Plan is that it recognizes that changes need to be made to the APFO Ordinance in order for the Plan to be attainable. However, the Plan does not address the costs and feasibility of the proposed vision of the Pike as an urban boulevard, as well as the costs to the property owners along the Pike in terms of loss of density and opportunity cost. Unless the economic underpinnings of the Plan are fully addressed, it will be an exercise in "urban design" and administrative process, rather than a realistic, attainable vision for the Pike and the City.

1.2.3 Building Form Standards - South Pike

Map 4: The Regulating Plan – South Pike

Tony Greenberg - JBG – See transcript from 3/16/11 oral testimony

Erika Leatham – See transcript from 3/16/11 oral testimony

PLANNING Commission HEARING
MARCH 16, 2011

Exhibit No 47

ROCKVILLE PIKE PLAN

HELLO Commission MEMBERS + CHAIRMAN TYNER. T.Y. FOR THIS OPPORTUNITY
JIM MARRINAW OF 5 OLD CREEK CT.

AS A FORMER MEMBER OF THE ROCKVILLE CITY

COUNCIL DURING THE 1990's, WE SPENT A GREAT DEAL

OF TIME DISCUSSING ROCKVILLE PIKE AND A PROPOSAL

TO DEVELOP A BIG BOX WALDMARK STORE AT

CONGRESSIONAL PLAZA. WE ULTIMATELY REJECTED THAT

PROPOSAL. MY READING OF THE PROPOSED PLAN DOESN'T

SEEM TO ADDRESS THIS ISSUE EITHER WAY. WE REJECTED

THE OLD PROPOSAL BECAUSE: ① STUDIES INDICATED THAT

SUCH A DEVELOPMENT WOULD ATTRACT A VERY HIGH LEVEL

OF TRAFFIC AND ② IT WOULD HAVE AN ADVERSE IMPACT

ON SMALLER RETAIL INCLUDING MOM + POP STORES MANY

ROCKVILLE BASED

ANOTHER CONCERN: THE PLAN SEEMS TO FOCUS ON

NORTH/SOUTH TRAFFIC AND NOT ENOUGH ON EAST/WEST

MOVEMENTS. SINCE ROCKVILLE PIKE ESSENTIALLY DIVIDES

THE CITY SENSITIVITY FOR E/W MOVEMENTS SHOULD BE
MORE FULLY ADDRESSED,

ADDRESSED. ALL RESIDENTIAL NEIGHBORS SHOULD BE

ABLE TO EASILY ACCESS ALL AREAS OF THE CITY. FROM
PERSONAL EXPERIENCE AT WOOTTON PKWY/FIRST ST & R.P., SIGNAL
TIMING DEFINITELY FAVOR N/S TRAFFIC. THAT IMBALANCE NEEDS TO BE ADDED
AND FINALLY, THE PLAN MENTIONS ENSURING ADEQUATE

FUNDING FROM COUNTY & STATE SOURCES. MY UNDERSTANDING

OF AVAILABLE FUNDING FROM THOSE SOURCES IS NOT GOOD

AT THIS TIME. CURRENT REQUEST FOR THE TRANSIT WAY

AND THE PURPLE LINE PLUS THE RESIDUAL EFFORTS OF

FUNDING FOR THE ICC MAKE MATTERS WORSE. WITHOUT

A MAJOR INCREASE IN TRANSPORTATION REVENUES AT THE

+ FEDERAL
COUNTY, & STATE LEVELS MAKE IT UNLIKELY THEY WILL

BE ABLE TO HELP US BURN IN THE OUT YEARS.

ROCKVILLE
PIKE Exhibit No. 473
PLAN

THERE IS MUCH TO COMMEND THIS PROPOSED PLAN
AND I ~~THANK~~ ALL WHO HAVE PARTICIPATED IN ITS DEVELOP-
MENT. BUT TO REMIND ALL, THAT ROCKVILLE IS A RESIDENTIAL
COMMUNITY AND ANYTHING WE DO SHOULD HAVE THAT AS A PRIMARY
OBJECTIVE.

Jim MARRINAN

5 OLD CREEK CT.

301/340-1325

MARRIROCK@AOL.COM

**TESTIMONY OF LARRY GORDON
RE: ROCKVILLE'S PIKE PLAN AND FORM CODE**

**ROCKVILLE PLANNING COMMISSION
MARCH 16, 2011**

**GOOD EVENING, I AM LARRY GORDON WITH THE LAW FIRM OF
SHULMAN ROGERS. AMONG OTHER CLIENTS, I HAVE REPRESENTED
CAR DEALERSHIPS, INCLUDING DARCARS, IN THE CITY AND COUNTY
FOR NEARLY 30 YEARS.**

**THE ISSUE OF ALLOWING CAR DEALERSHIPS TO REMAIN ALONG
THE ROCKVILLE PIKE URBAN CORRIDOR IS AN IMPORTANT ONE. THE
EXISTING DEALERSHIPS SERVE THE AUTOMOBILE PURCHASING AND
SERVICE NEEDS OF THE RESIDENTS AND BUSINESSES OF THE GREATER
ROCKVILLE AREA. THESE DEALERSHIPS ARE CONVENIENTLY
LOCATED FOR THESE PURPOSES AND PROVIDE THE PEOPLE OF
ROCKVILLE WITH A REASONABLE VARIETY OF CHOICES.**

**ORIGINAL CONSTRUCTION AND SUBSEQUENT MODERNIZATION
OF THESE DEALERSHIPS INVOLVED SUBSTANTIAL INVESTMENTS AND
MAJOR SITE IMPROVEMENTS. ACCORDINGLY, THESE DEALERSHIPS
PLAN TO REMAIN ON THE PIKE FOR THE FORESEEABLE FUTURE.**

**AS ITS NAME SUGGESTS, THE PRIMARY PURPOSE OF A "FORM
CODE" IS TO ADDRESS DESIGN STANDARDS, NOT LAND USES. THE
DESIGN REQUIREMENTS OF THE CITY'S FORM CODE CAN BE USED TO
ADDRESS ANY CONCERNS THE CITY MIGHT HAVE REGARDING THE
CONTINUATION OF "MOTOR VEHICLE SALES AND SERVICE
FACILITIES" IN THE URBAN CORRIDOR. THE PROPOSED FORM CODE
SHOULD NOT BE USED TO DENIGRATE OR PRECLUDE THE USE.**

**AS CURRENTLY DRAFTED, THE CODE WILL NOT ALLOW ANY NEW
CAR DEALERSHIPS, AND WILL MAKE EXISTING DEALERSHIPS
NONCONFORMING. THIS IS SIMPLY NOT ACCEPTABLE. THE**

"NONCONFORMITIES" PROVISIONS IN THE DRAFT FORM CODE (CH. 6, SEC. 1.10.9) ARE SUBSTANTIALLY DIFFERENT IN CONTENT AND TENOR FROM THOSE THAT WERE SO CAREFULLY CRAFTED IN THE CITY'S NEW ZONING ORDINANCE (ART. 8, SEC. 25.08.04 THROUGH 25.08.08). AS THE AUTOMOBILE BUSINESS CONTINUES TO RECOVER AND PROVIDE NEW AND BETTER PRODUCTS TO SERVE ITS CUSTOMERS, THESE DEALERSHIPS WILL NEED THE FLEXIBILITY TO GROW AND MODERNIZE. STRINGENT NONCONFORMITY PROVISIONS WILL EITHER IMPEDE OR PREVENT THIS FROM OCCURRING.

FOR ANY OR ALL OF THESE REASONS, I JOIN WITH THOSE WHO HAVE ASKED YOU TO INCLUDE "MOTOR VEHICLE SALES AND SERVICE USES" AS BEING PERMITTED IN ALL THREE PORTIONS OF THE ROCKVILLE PIKE URBAN CORRIDOR. BETTER STILL, I RESPECTFULLY RECOMMEND THAT THE USE TABLES SUGGESTED IN THE DRAFT FORM

CODE BE ELIMINATED, AND THAT THE USES CONTAINED IN THE CITY'S
NEW ZONING ORDINANCE BE APPLIED THROUGHOUT THE URBAN
CORRIDOR.

THANK YOU FOR YOUR TIME AND THOUGHTFUL
CONSIDERATION. I WOULD BE HAPPY TO RESPOND TO ANY
QUESTIONS YOU, YOUR STAFF, OR YOUR CONSULTANT MIGHT HAVE.

TESTIMONY OF HAMID FALLAHI
RE: ROCKVILLE'S PIKE PLAN AND FORM CODE
ROCKVILLE PLANNING COMMISSION
MARCH 16, 2011

GOOD EVENING. MY NAME IS HAMID FALLAHI AND I AM HERE THIS EVENING REPRESENTING DARCARS AUTOMOTIVE GROUP. DARCARS IS A FAMILY OPERATED BUSINESS THAT WAS FOUNDED RIGHT HERE IN MONTGOMERY COUNTY IN 1977. CURRENTLY, DARCARS EMPLOYS NEARLY 1800 PEOPLE IN MARYLAND WITH A PAYROLL EXCEEDING OVER \$80 MILLION PER YEAR. IN MONTGOMERY COUNTY ALONE, WE EMPLOY NEARLY 800 PEOPLE PROVIDING A STABLE INCOME, HEALTH CARE AND RETIREMENT BENEFITS.

I SERVE AS DIRECTOR OF LAND DEVELOPMENT FOR EASTERN DIVERSIFIED PROPERTIES WHICH IS OWNED BY THE DARCARS AUTOMOTIVE GROUP. ONE OF THE DEALERSHIPS THAT WE OWN IS THE LONGSTANDING CHRYSLER/JEEP/DODGE DEALERSHIP LOCATED AT 755 ROCKVILLE PIKE AT THE CORNER OF THE PIKE AND MT. VERNON PLACE. OUR PROPERTY IS WITHIN THE NORTH PIKE URBAN CORRIDOR OF THE ROCKVILLE'S PIKE PLAN AND FORM CODE.

IT IS OUR UNDERSTANDING THAT THE DRAFT PLAN AND CODE BEFORE YOU THIS EVENING DO NOT LIST "MOTOR VEHICLE SALES AND SERVICE USES" AMONG THOSE USES PERMITTED IN OUR PORTION OF ROCKVILLE PIKE. THE SAME ALSO APPEARS TO BE TRUE FOR THE MIDDLE AND SOUTH PORTIONS OF THE URBAN CORRIDOR.

WE STRONGLY URGE YOU TO ADD "MOTOR VEHICLE SALES AND SERVICE USES" IN THE LIST OF USES ALLOWED IN ALL THREE PORTIONS OF THE URBAN CORRIDOR.

WE AND OTHERS WORKED LONG AND HARD WITH THE CITY TO HAVE OUR DEALERSHIP USE ALLOWED IN SEVERAL OF THE CITY'S RECENTLY ADOPTED MIXED USE ZONES. OUR PARTICULAR PROPERTY WAS REZONED "MXCD" IN THE CITY'S COMPREHENSIVE REZONING. WHERE ALLOWED IN MIXED USE ZONES, "MOTOR VEHICLE SALES AND SERVICE USES" ARE PERMITTED AS A CONDITIONAL USE, SUBJECT TO THE SPECIFIC CONDITIONS ENUMERATED IN FOOTNOTE 2 IN THE MIXED USE SECTION OF THE ZONING ORDINANCE. FURTHER, TO THE EXTENT THAT THEY DO NOT CURRENTLY SATISFY THE SPECIFIC CONDITIONS CONTAINED IN THE NEW ZONING ORDINANCE, OUR EXISTING DEALERSHIP AND DEALERSHIPS OWNED BY

OTHERS WERE EXPRESSLY PROTECTED BY THE ORDINANCE'S
NONCONFORMITY PROVISIONS.

HAVING SO RECENTLY ADDRESSED "MOTOR VEHICLE SALES AND
SERVICE USES" IN THE NEW ZONING ORDINANCE, IT WOULD BE PREMATURE
AND PATENTLY UNFAIR FOR THE CITY TO SUDDENLY REVERSE ITS
EXTENSIVELY DEBATED AND FAIRLY RESOLVED POSITION REGARDING THIS
USE FOR THE APPROXIMATELY HALF DOZEN EXISTING DEALERSHIPS
LOCATED ALONG THE TWO MILE PORTION OF ROCKVILLE PIKE THAT YOU ARE
CONSIDERING THIS EVENING.

THANK YOU FOR YOUR CAREFUL CONSIDERATION OF OUR CONCERN.
WE LOOK FORWARD TO WORKING WITH YOU AND THE MAYOR AND COUNCIL
TO REACH AN AMICABLE SOLUTION.



Montgomery County Group

Dear Planning Commission,

The Montgomery County Sierra Club strongly endorses the Rockville's Pike initiative, which matches our goal of creating multi-modal transportation that gets people out of cars and into walkable neighborhoods boasting a variety of uses. We endorse many elements of the plan, in particular the proposals to break up super blocks, move storefronts forward, enclose parking lots, widen sidewalks, and add trees and other vegetation to the landscape.

We do, however, have some suggestions, as follows:

1. While the current plan emphasizes retail, we would like to see more residential development, particularly apartment buildings. It might appear that residential development would increase the amount of automobile trips, but we believe the reverse to be true. The I270 corridor is already jobs rich. (Indeed, because the corridor is overbuilt, we see little reason to add jobs or retail, although we hope the existing retail can be preserved.) More apartment buildings, therefore, would allow people to live much closer to work and retail, greatly shortening current commutes from the east county and Prince George's. New apartments could be clustered around transit, adding residential and retail development without compromising the character of the existing communities or pushing out long-time business.

Residential development would also provide a ready supply of customers for retail, many of whom could walk or bike. Furthermore, apartment buildings provide extremely energy efficient housing, as heating and air conditioning are shared. New buildings could take advantage of the latest technology, to be even more energy efficient. Of course, more school capacity would be needed to make these new residences viable. Adding residential units would also increase the use of walking, biking, and transit. This may be an extremely ambitious undertaking, but in the long run we believe it would be worth it.

2. Regarding transit, it is imperative that Rockville's Pike coordinate with the White Flint Sector Plan and with county plans for a BRT system, both of which employ the center lane as a median. The county plan will likely include a 355 route running from Bethesda to Germantown (or beyond). It's questionable whether the Rockville's Pike plan to use access roads is viable in isolation, although it might work for local buses. BRT, like other transit, works best as a network, and the Rockville's Pike plan needs to account for this.

The current plan also envisions bicycles sharing lanes with buses. While this is viable, the best bike paths are separated from other traffic. It's also crucial that bicycle paths be

clearly connected to other bicycle paths, and to town centers, in an obvious network. Currently, Rockville and North Bethesda have some excellent bicycle assets—the Trolley Trail, the I270 crossing at MD28, the Carl Henn Millenium Trail—but they are fragmented and disconnected. Better signage would help (preferably bilingual), but full connectivity would be even better. The idea is to transform bicycling from a maverick activity to one enjoyed by a variety of residents, as has already occurred on the Georgetown Branch Trail.

3. Finally, while we commend the plan's commitment to pedestrian comfort and safety, we believe even more could be done. This is particularly true when it comes to crossing the Pike. Wider medians with crosswalk buttons would be one way to allow slow moving pedestrians (for instance those in wheelchairs) to cross without getting stranded. Crosswalks in the middle of long blocks would be another alternative.

Technical solutions alone may not be enough. Rockville currently has an automobile culture that is extremely unfriendly to pedestrians; turning vehicles often will cut off pedestrians who have right-of-way. An education campaign targeted at drivers might be one way of alleviating this. Aggressive ticketing of cars that cut off pedestrians would be another. Given that pedestrians are particularly vulnerable while drivers are protected, it's worth putting pedestrian rights on a particularly high plane. Indeed, it is worth doing this immediately to begin to build a culture of pedestrian comfort.

Notwithstanding our suggestions, we commend and support the Rockville's Pike plan, which we believe to be visionary, long-term, sustainable thinking. We look forward to working with you to make the plan even more visionary and sustainable.

Thank you very much for all of your efforts.

Sincerely,

Ethan Goffman
Transit Chair
Sierra Club, Montgomery County Group